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In re Application of :
KROESE, et al. :
U.S. Application No.: 10/522,117 : DECISION ON RENEWED
PCT No.: PCT/NL03/00528 :
Int. Filing Date: 17 July 2003 : PETITION UNDER
Priority Date: 26 July 2002 :
Attorney Docket No.:903-129 PCT/US : 37 CFR 1.181
For: SWITCHING UNIT FOR SWITCHING A :
CONNECTION BETWEEN A MAINS AND :
A LOAD :

This decision is in response to applicant's request for reconsideration filed 04 December 2006 in the United States Patent and Trademark Office (USPTO). The petition is being treated as a renewed petition under 37 CFR 1.181 to withdraw the holding of abandonment. No petition fee is required.

BACKGROUND

On 27 October 2006, applicant was mailed a decision dismissing applicant's petition to withdraw the holding of abandonment. Applicant was afforded two months to file any request for reconsideration.

On 04 December 2006, applicant filed the renewed petition considered herein.

DISCUSSION

As discussed in the decision mailed 27 October 2006, the Manual of Patent Examining Procedure (MPEP) at 711.03(c) and the Official Gazette, at 1156 OG 53, provides that a petition requesting relief based on the grounds that an Office action was not received must be accompanied by a statement that (1) the Office action was not received, (2) attests that a search of the file jacket indicates the Office action was not received, (3) attests that a search of counsel's docket records indicates the Office action was not received and (4) the Petition must also be accompanied by copies of the docket records where the non-received Office action would have been entered. (See also, Delgar v. Schulyer, 172 USPQ 513 (D.D.C. 1971). Applicant previously satisfied item (1) above.

With the filing of the present renewed petition and supporting documentation, applicant

has satisfied the remaining items and it is proper to grant applicant's renewed petition at this time.

CONCLUSION

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.181 to withdraw the holding of abandonment is **GRANTED**.

The "Notification of Abandonment" (Form PCT/DO/EO/909) mailed 11 July 2006 is hereby **VACATED**.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a new Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that a compliant, executed oath or declaration of the inventors is required.



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